

Appl. No. : 10/678,766
Filed : October 2, 2003

REMARKS

Claims 1-33 are pending in the present application and stand rejected as anticipated by Gates (U.S. 6,203,613) or obvious in view of Gates or the combination of Gates and one or more additional references.

In the parent application (U.S. Patent Application No. 10/148,525), Applicants submitted a Declaration of Prior Inventorship Under 35 U.S.C. §131 swearing behind the Gates reference. A copy of the Declaration and its attachments are included herewith, including an Invention Disclosure and its translation. Applicants submit that at least the independent claims of the present application are supported by the Invention Disclosure and the claims from the parent application that are referred to in the Declaration. As stated in the Declaration, the Invention Disclosure was signed prior to October 19, 1999 and the claims in the parent application were conceived of and reduced to practice prior to October 19, 1999 or conceived of prior to October 19, 1999 and constructively reduced to practice with the filing of Finnish patent application number 19992616 on December 3, 1999. Thus, Applicants submit that the Declaration reflects that the subject matter of independent Claims 1, 22 and 24 of the present application was conceived of and reduced to practice prior to the effective date of the Gates reference. The dependent claims contain all of the features of these independent claims as well as further non-obvious distinguishing features. As all of the current rejections depend on Gates, Applicants request their withdrawal.

While Applicants believe that the previously filed Declaration is sufficient to overcome the rejections based on Gates, if the Examiner feels that a new Declaration is necessary Applicants would be willing to provide one.

Applicants also note that a Declaration of Prior Inventorship is appropriate in this case because the present claims and the claims of Gates are drawn to different inventions. All of the claims of Gates are directed to deposition processes utilizing metal nitrate precursors. In contrast, the present claims are directed to methods of forming oxide films comprising silicon.

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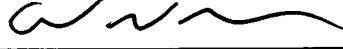
Conclusion

In view of the above Remarks, Applicants submit that the present application is in condition for allowance. If any issues remain, the Examiner is cordially invited to contact Applicants' representative at the number provided below in order to resolve such issues promptly.

Respectfully submitted,

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Dated: December 28, 2004

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